THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 14th May 1954.

The House met in the Council Chamber, Fort St. George, at half-past two of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Fares and charges fixed by the Government under the Motor Vehicles Act, 1939.

* 53 *Q.*—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to lay on the table of the House—

(i) a detailed statement showing the position arising out of the first proviso to section 3 of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952, having been held invalid by the High Court; and

(ii) a list of cases in which motor operators were already charging fares at the maximum rates and the amount of tax refunded in any of the above cases, and a list of cases in which operators now charge over the maximum fare fixed by the Government under the Motor Vehicles Act, 1939?

THE HON. SRI B. PARAMESWARAN :—" (i) Though the High Court has held that the first proviso to section 3 of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act is invalid, the operators could not automatically increase the fares beyond a certain limit as the maximum had already been prescribed by Government. To enable the operators to benefit by this ruling of the High Court, in G.O. Ms. No. 565, Home, dated the 5th March 1954, the Government have raised the maximum fares prescribed for stage carriages under the Motor Vehicles Act, 1939. Separate action is also being taken to delete the first proviso to section 3 of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952, from that Act.

" (ii) A statement [a] showing the number of operators who were already charging fares at the maximum rates—

(*a*) on the 1st February 1953, i.e., at the commencement of the Act; and

(*b*) after the 1st February 1953

is laid on the table of the House.

" No tax has been refunded so far to any operator. As stated in the answer to clause (i), no operator can charge above the maximum fares prescribed by the Government."

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[a] Printed as Appendix I on page 94 *infra*.

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SRI T. PURUSHOTHAM :—" Sir, do the Government propose to bring in any fresh legislation to rectify the defects pointed out in the judgment of the High Court? "

THE HON. SRI B. PARAMESWARAN :—" It is already under the consideration of the Government, Sir."

SRI T. PURUSHOTHAM :—" Sir, have Government received any representation from the bus operators with reference to the hardship caused on account of this surcharge measure and, if so, may I ask whether the Government propose to appoint a fact-finding committee to go into this matter? "

THE HON. SRI B. PARAMESWARAN :—" Yes, Sir. Government received certain representations from the bus owners of Krishna district and they have forwarded to the Andhra Government; none so far as the Madras Government are concerned."

SRI T. PURUSHOTHAM :—" May I bring to the notice of the Hon. Minister that so far as the bus operators of Tamilnad are concerned, they have also submitted a memorandum. I know this because I am the President of the Bus Operators' Association and I know a representation was submitted to Government. May I request the Hon. Minister to consider the same? "

THE HON. SRI B. PARAMESWARAN :—" There is nothing in the High Court judgment to show that the Government are bound to refund the fares collected and therefore I do not think that the Government can consider this proposition."

SRI T. PURUSHOTHAM :—" With reference to the statement furnished by the Hon. Minister in reply to this question, may I know whether bus operators, who are charging the maximum fares, are permitted to charge over and above the maximum fixed in the Motor Vehicles Act and whether they are permitted to collect the surcharge from the public and pay it to Government? "

THE HON. SRI B. PARAMESWARAN :—" I do not think the operators can collect more than the prescribed fares. The Government have permitted them to collect half a pie more than the usual fare, that is, seven pies."

DR. V. K. JOHN :—" Are the Government aware that the fares collected by bus operators in the Madras State are much higher than those collected in the other States of India? "

THE HON. SRI B. PARAMESWARAN :—" I am not sure of that. I shall take the information from the hon. Member."

DR. V. K. JOHN :—" Will the Government make an enquiry and ascertain the figures? We have got greater rights than others to reduce the rates."

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THE HON. SRI B. PARAMESWARAN :—" We have our own problems. I do not think it worthwhile to go into the question of collecting statistics and comparing the figures."

Tahsildars and Deputy Tahsildars with previous service in the Commercial Tax Department and amalgamation of the Commercial Tax Department with Revenue Department.

* 57 *Q.*—SRI M. ETHIRAJULU : Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) the number of Tahsildars and Deputy Tahsildars who had acted previously as Deputy Commercial Tax Officers and Assistant Commercial Tax Officers in the Commercial Tax Department in South Arcot district; and

(*b*) whether the Government have any proposal to amalgamate the Commercial Tax Department with Revenue Department?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" (*a*) There are 7 Tahsildars and 4 Deputy Tahsildars who have worked previously as Deputy Commercial Tax Officers and Assistant Commercial Tax Officers respectively in the Commercial Taxes Department in the South Arcot district.

" (*b*) No."

SRI M. ETHIRAJULU :—" May I know Sir, whether the Government recently allotted a certain percentage of the vacancies in the grade of Assistant Commercial Tax Officers to those affected in the Revenue Department in this State? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I think so, Sir. Off-hand I am not able to say what exactly happened. I require notice."

Number of houses requisitioned under the Madras Buildings (Lease and Rent Control) Act.

* 58 *Q.*—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) the number of houses requisitioned under the Madras Buildings (Lease and Rent Control) Act and allotted to Government officials during 1952–53;

(*b*) the number of such cases in which the Government servants failed to pay the rents due; and

(*c*) the steps taken by Government to recover such amounts?

THE HON. RAJA SRI SHANMUGHA RAJESWARA SETHUPATHI :—" (*a*) 1,086 (one thousand and eighty-six).

" (*b*) 36 (Thirty-six).

" (*c*) Action is promptly taken by the Accommodation Controller in the City and by the Rent Controllers in the mufassal for recovery of arrears of rent from the allottees."